

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LUKE JOHN SCOTT, SR.,

Defendant.

CR-19-29-GF-BMM  
CR-19-30-GF-BMM

**ORDER REGARDING MOTION  
TO RECONSIDER  
DEFENDANT'S NOTICES TO  
THE COURT REGARDING HIS  
*EX PARTE* FILINGS AND  
GRIEVANCE**

Defendant Luke John Scott, Sr. (“Scott”) is representing himself in the two above-captioned criminal cases, with Bryan Norcross acting as stand-by counsel. (CR-19-29-GF-BMM, Doc. 73 & CR-19-30-GF-BMM, Doc. 72).

Scott filed a notice regarding his *ex parte* filings and grievance in both of his criminal cases on July 22, 2020. (CR-19-29-GF-BMM, Doc. 191 & CR-19-30-GF-BMM, Doc. 199). Scott asked the Court to sanction Assistant United States Attorney Kalah Paisley (“AUSA Paisley”). (*Id.* at 1). The Court reviewed the docket as well as the documents Scott referenced in his filings and declined to sanction the government because AUSA Paisley’s actions in accessing the public

docket do not constitute “prosecutorial misconduct.” (CR-19-29-GF-BMM, Doc. 213 & CR-19-30-GF-BMM, Doc. 203 at 5).

Scott now asks the Court to reconsider its decision not to sanction AUSA Paisley. (CR-19-29-GF-BMM, Doc. 259 & CR-19-30-GF-BMM, Doc. 219.). Scott clarifies that he cited the wrong document in his original notice of complaint. (*Id.* at 1–2). Scott fails to provide a corrected identification of what document the Government was able to access. Scott also fails to identify any prejudice that may have resulted from access to a document. The Court again has reviewed the docket in both cases to ensure that Scott’s *ex parte* filings are sealed. As the Court found previously, “Scott has not demonstrated actual prejudice resulting from said government misconduct, because no misconduct exists in the first instance.” (CR-19-29-GF-BMM, Doc. 213 & CR-19-30-GF-BMM, Doc. 203 at 5). The Court again declines to sanction the Government.

## **ORDER**

**IT IS HEREBY ORDERED** that Scott’s Motion for Reconsideration of sanctions (CR-19-29-GF-BMM, Doc. 259 & CR-19-30-GF-BMM, Doc. 219) is **DENIED**.

Dated the 23rd day of September, 2020.



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Brian Morris, Chief District Judge  
United States District Court